

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

JUL 11 2002

Technology Center 2600

In re Application for:

Zatloukal et al.

Application No.: 10/087,032

Filed: March 1, 2002

For: A WIRELESS MOBILE PHONE  
INCLUDING A HEADSET

Examiner: Not yet assigned

Art Group: 2681

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed Commissioner for Patents, Washington, DC 20231 on:

Date of Deposit: JUNE 28, 2002

Name of Person Mailing: MICHELLE J. TURNER

Signature: [Signature] Date: 6.28.02

COMMISSIONER FOR PATENTS  
WASHINGTON, DC 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. § 1.97(g), the submission of this Information Disclosure Statement (IDS) is not to be construed as a representation that a search has been made, and, pursuant to 37 C.F.R. § 1.97(h), the submission of this IDS is not to be construed as an admission that the information cited in this IDS is material to patentability.

This IDS is being submitted under one or more of the following sections of 37

C.F.R. § 1.97 (as indicated by an "X" to the left of the appropriate paragraph(s)):

XX 37 C.F.R. § 1.97(b). Filed:

- (1) Within three months of a National Application other than a CPA;
- (2) Within three months of entry into National Stage;
- (3) Before mailing of a first Office Action on the merits; or
- (4) Before mailing of a first Office Action after filing an RCE.

       37 C.F.R. § 1.97(c). Filed before the mailing of a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution.

And, ONE of the following:

(1) One statement from 37 C.F.R. § 1.97(e);

      (e)(1) The person signing below certifies that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

      (e)(2) The person signing below certifies that no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing below after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 1.56(c) more than three months prior to filing this IDS.

**OR**

(2) The fee set forth in 37 C.F.R. § 1.17(p).

      A check in the amount of \$180.00 is enclosed.

       37 C.F.R. § 1.97(d). Filed on or before payment of the issue fee.

And, BOTH of the following:

(1) one statement from 37 C.F.R. § 1.97(e);

      (e)(1) The person signing below certifies that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

      (e)(2) The person signing below certifies that no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing below after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 1.56(c) more than three months prior to filing this IDS.

**AND**

(2) The fee set forth in 37 C.F.R. § 1.17(p).

      A check in the amount of \$180.00 is enclosed.

Accompanying this IDS is a Form PTO-1449 and a copy of each reference listed therein, EXCEPT references pursuant to one or more of the following sections of 37 C.F.R. § 1.98 (as indicated by an "X" to the left of the appropriate paragraph(s)):

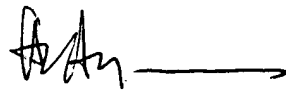
\_\_\_\_\_ 37 C.F.R. § 1.98(c) as being cumulative (marked with an "\*" on the Form PTO-1449).

\_\_\_\_\_ 37 C.F.R. § 1.98(d) as being previously submitted in parent application \_\_\_\_\_/\_\_\_\_\_, to which the present application claims priority under 35 U.S.C. § 120.

The Commissioner is hereby authorized to charge shortages or credit overpayments to Deposit Account No. 501569. A Fee Transmittal is enclosed in duplicate for fee processing purposes.

Respectfully submitted,  
COLUMBIA IP LAW GROUP, PC

Dated: 6/28, 2002

  
\_\_\_\_\_  
Aloysius T.C. AuYeung  
Registration No. 35,432

10260 SW Greenburg Road, Suite 820  
Portland, Oregon 97223  
Telephone: 503-595-2800

COPY OF PAPERS  
ORIGINALLY FILED

Please type a plus sign (+) inside this box → ☐

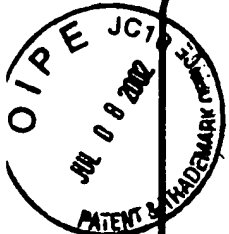
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

PTO/SB/21 (08-00)

7-17-02



# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 10/087,032

Filing Date March 1, 2002

First Named Inventor Peter Zatloukal

Group Art Unit 2681

Examiner Name Not yet assigned

Total Number of Pages in This Submission

Attorney Docket Number 41051.P017

RECEIVED

JUL 1 2002

Technology Center 2600

## ENCLOSURES

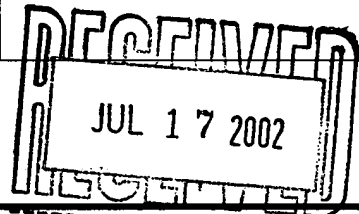
(check all that apply)

- ☒ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment / Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):
1. Return Receipt Postcard
  2. Copies of four (4) cited references

Remarks



## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name Aloysius T.C. AuYeung, Reg. No. 35,432  
COLUMBIA IP LAW GROUP, PC

Signature

Date June 28, 2002

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 06/28/2002

Typed or printed name Michelle J. Turner

Signature

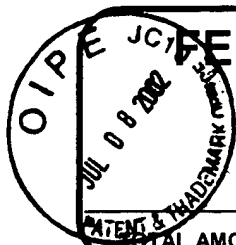
Date 06/28/2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

COPY OF PAPERS  
ORIGINALLY FILED

PTO/SB/17 (10-01)  
Approved for use through 10/31/2002. OMB 0651-0032  
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



# **FEE TRANSMITTAL** **for FY 2002**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 0.00

## **Complete if Known**

Application Number	10/087,032
Filing Date	March 1, 2002
First Named Inventor	Peter Zatloukal
Examiner Name	Not yet assigned
Group Art Unit	2681
Attorney Docket No.	41051.P017

**RECEIVED**

**JUL 11 2002**

**Technology Center 2600**

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																																																																		
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number: <b>501569</b></p> <p>Deposit Account Name: <b>Columbia IP Law Group, PC</b></p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> <p>2. <input type="checkbox"/> Payment Enclosed:</p> <p><input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>		<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for ex parte reexamination</td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for reply within second month</td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for reply within third month</td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for reply within fourth month</td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for reply within fifth month</td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640</td><td>Petition to revive - unintentional</td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640</td><td>Utility issue fee (or reissue)</td></tr> <tr><td>143</td><td>460</td><td>243</td><td>230</td><td>Design issue fee</td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310</td><td>Plant issue fee</td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional applications</td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td></tr> <tr><td>146</td><td>740</td><td>246</td><td>370</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td></tr> <tr><td>149</td><td>740</td><td>249</td><td>370</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td></tr> <tr><td>179</td><td>740</td><td>279</td><td>370</td><td>Request for Continued Examination (RCE)</td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td></tr> </tbody> </table> <p>Other fee (specify) _____</p> <p>*Reduced by Basic Filing Fee Paid</p>		Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath	127	50	227	25	Surcharge - late provisional filing fee or cover sheet	139	130	139	130	Non-English specification	147	2,520	147	2,520	For filing a request for ex parte reexamination	112	920*	112	920*	Requesting publication of SIR prior to Examiner action	113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	115	110	215	55	Extension for reply within first month	116	400	216	200	Extension for reply within second month	117	920	217	460	Extension for reply within third month	118	1,440	218	720	Extension for reply within fourth month	128	1,960	228	980	Extension for reply within fifth month	119	320	219	160	Notice of Appeal	120	320	220	160	Filing a brief in support of an appeal	121	280	221	140	Request for oral hearing	138	1,510	138	1,510	Petition to institute a public use proceeding	140	110	240	55	Petition to revive - unavoidable	141	1,280	241	640	Petition to revive - unintentional	142	1,280	242	640	Utility issue fee (or reissue)	143	460	243	230	Design issue fee	144	620	244	310	Plant issue fee	122	130	122	130	Petitions to the Commissioner	123	50	123	50	Petitions related to provisional applications	126	180	126	180	Submission of Information Disclosure Stmt	581	40	581	40	Recording each patent assignment per property (times number of properties)	146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	179	740	279	370	Request for Continued Examination (RCE)	169	900	169	900	Request for expedited examination of a design application
Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																
105	130	205	65	Surcharge - late filing fee or oath																																																																																																																																																
127	50	227	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																
139	130	139	130	Non-English specification																																																																																																																																																
147	2,520	147	2,520	For filing a request for ex parte reexamination																																																																																																																																																
112	920*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																
115	110	215	55	Extension for reply within first month																																																																																																																																																
116	400	216	200	Extension for reply within second month																																																																																																																																																
117	920	217	460	Extension for reply within third month																																																																																																																																																
118	1,440	218	720	Extension for reply within fourth month																																																																																																																																																
128	1,960	228	980	Extension for reply within fifth month																																																																																																																																																
119	320	219	160	Notice of Appeal																																																																																																																																																
120	320	220	160	Filing a brief in support of an appeal																																																																																																																																																
121	280	221	140	Request for oral hearing																																																																																																																																																
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																
140	110	240	55	Petition to revive - unavoidable																																																																																																																																																
141	1,280	241	640	Petition to revive - unintentional																																																																																																																																																
142	1,280	242	640	Utility issue fee (or reissue)																																																																																																																																																
143	460	243	230	Design issue fee																																																																																																																																																
144	620	244	310	Plant issue fee																																																																																																																																																
122	130	122	130	Petitions to the Commissioner																																																																																																																																																
123	50	123	50	Petitions related to provisional applications																																																																																																																																																
126	180	126	180	Submission of Information Disclosure Stmt																																																																																																																																																
581	40	581	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																
179	740	279	370	Request for Continued Examination (RCE)																																																																																																																																																
169	900	169	900	Request for expedited examination of a design application																																																																																																																																																
<p><b>FEE CALCULATION</b></p> <p>1. BASIC FILING FEE</p> <table border="1"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>101</td><td>740</td><td>201</td><td>370</td><td>Utility filing fee</td><td></td></tr> <tr><td>106</td><td>330</td><td>206</td><td>165</td><td>Design filing fee</td><td></td></tr> <tr><td>107</td><td>510</td><td>207</td><td>255</td><td>Plant filing fee</td><td></td></tr> <tr><td>108</td><td>740</td><td>208</td><td>370</td><td>Reissue filing fee</td><td></td></tr> <tr><td>114</td><td>760</td><td>214</td><td>80</td><td>Provisional filing fee</td><td></td></tr> </tbody> </table> <p>SUBTOTAL (1) (\$) _____</p> <p>2. EXTRA CLAIM FEES</p> <table border="1"> <thead> <tr> <th>Total Claims</th> <th>Extra Claims</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Independent Claims</td> <td>-20**=</td> <td>X</td> <td></td> </tr> <tr> <td>Multiple Dependent</td> <td>-3**=</td> <td>X</td> <td></td> </tr> </tbody> </table> <p>Large Entity Fee Code: 103, Fee (\$): 18, Small Entity Fee Code: 203, Fee (\$): 9, Fee Description: Claims in Excess of 20</p> <p>Large Entity Fee Code: 102, Fee (\$): 84, Small Entity Fee Code: 202, Fee (\$): 42, Fee Description: Independent claims in excess of 3</p> <p>Large Entity Fee Code: 104, Fee (\$): 280, Small Entity Fee Code: 204, Fee (\$): 140, Fee Description: Multiple dependent claim, if not paid</p> <p>Large Entity Fee Code: 109, Fee (\$): 84, Small Entity Fee Code: 209, Fee (\$): 42, Fee Description: ** Reissue independent claims over original patent</p> <p>Large Entity Fee Code: 110, Fee (\$): 18, Small Entity Fee Code: 210, Fee (\$): 9, Fee Description: ** Reissue claims in excess of 20 and over original patent</p> <p>SUBTOTAL (2) (\$) _____</p> <p>**or number previously paid, if greater; For Reissues, see above</p>		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	101	740	201	370	Utility filing fee		106	330	206	165	Design filing fee		107	510	207	255	Plant filing fee		108	740	208	370	Reissue filing fee		114	760	214	80	Provisional filing fee		Total Claims	Extra Claims	Fee from below	Fee Paid	Independent Claims	-20**=	X		Multiple Dependent	-3**=	X		<p>SUBTOTAL (3) (\$) _____</p>																																																																																																		
Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																															
101	740	201	370	Utility filing fee																																																																																																																																																
106	330	206	165	Design filing fee																																																																																																																																																
107	510	207	255	Plant filing fee																																																																																																																																																
108	740	208	370	Reissue filing fee																																																																																																																																																
114	760	214	80	Provisional filing fee																																																																																																																																																
Total Claims	Extra Claims	Fee from below	Fee Paid																																																																																																																																																	
Independent Claims	-20**=	X																																																																																																																																																		
Multiple Dependent	-3**=	X																																																																																																																																																		

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Aloysius T.C. AuYeung	Registration No. (Attorney/Agent)	35,432
Signature		Telephone	503-595-2800
		Date	June 28, 2002

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

RECEIVED

~~JUL 11 2002~~

Technology Center 2600

Sheet

1

Application Number

10/087,032

Filing Date

March 1, 2002

First Named Inventor

## Peter Zatloukal

### Group Art Unit

2681

Examiner Name

Not yet assigned

Attorney Docket Number

41051.P017

[illegible][illegible]

**Examiner  
Signature**

Date  
Considered

**Examiner:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.